

M/035/009

DOGM
MINERALS PROGRAM
FILE COPY

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Dear Mr. Hedberg:

DIVISION OF
OIL GAS & MINING

I am a researcher for the TAME TIC Committee, an affiliate of the Western States Pipe Trades Council. TAME TIC is a non-profit group funded by voluntary contributions from building trades unions to evaluate the environmental and economic implications of large construction projects.

The public notice on this project was published on September 14, 1992. The thirty day public comment deadline expires on October 14. Here are comments regarding the Permit revision for the Kennecott Barney's Canyon mine, M/035/009.

I believe that these comments constitute written objections of substance. Please notify me when the Board will hold a hearing in accordance with UCA 40-8-9. Thank you in advance for your cooperation.

Yours,



John Williams

**COMMENTS REGARDING THE PERMIT REVISION FOR BARNEYS CANYON
THE PROPOSED VARIANCES ARE INAPPROPRIATE**

Kennecott will expand the Barney's Canyon mine to dig two new pits and expand the Melco pit. The company wants variances from Division of Oil, Gas, and Mining (DOGM) rules.

Kennecott wants to maintain slopes at the angle of repose on the 7200 and 7300 dumps, and relief from the revegetation standards for these dumps, the Melco haul road cut and fill slopes. Only accessible pit benches wider than 40 feet will be reclaimed. The North BC South pit will not be regraded and resoiled. Slopes in the vicinity of the culvert removal may remain at less than 2h:1v.

The proposed variances allow slopes that are too steep and these will be poorly restored. This harmful effect on reclamation is bad enough. But these areas that are not fully reclaimed will contribute to erosion and windblown dust. This mine area violates air quality standards for particulate matter smaller than 10 micrometers in diameter (PM-10). These unreclaimed areas will produce windblown PM-10.

Granting Kennecott a variance will contribute to the area's violation of air quality standards. This would be inconsistent with R647-1-101 (3) which calls for preventing conditions detrimental to the general safety. Kennecott has not submitted an impact assessment of this increased dust emissions, as required under DOGM rule R647-4-109 (4). DOGM should stick to the principle it stated in its September 1, 1992 letter to Kennecott; "The Division will not grant a variance for the outcrops of the Melco Dumps." The variances should be denied.

Kennecott may not have complied with a DOGM request for additional topsoil mitigation measures. For instance, on June 4, 1991 DOGM noted that Kennecott's mining practices were wasting topsoil. DOGM asked Kennecott to mitigate this waste. No plan was apparently forthcoming from Kennecott.

Kennecott has not necessarily displayed the cooperation with the regulating agencies that would make these variances appropriate. Kennecott has not satisfied the Division of Water Quality rules regarding the storage of sulfide ore stockpiles. The company began storing this ore on site without prior notification to Water Quality. These ore piles were not part of the construction permit or the DOGM mining plan, either. The Utah state Attorney General had to write to Kennecott, prodding the company to sign its reclamation contracts. In addition, Kennecott's detection system has been leaking. (2/21/92 letter, DWQ)

DOGM should not approve this permit revision absent Kennecott's settlement of this matter with DWQ, and prior to the public comment period on the new DWQ permit for this facility. DOGM should also require Kennecott to submit wildlife mortality data, along with the proposed mitigation measures, before approving the permit revisions.